

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Katharine S. Hayden  
v. : Crim. No. 08-429  
MAXWELL OWOEYE : CONTINUANCE ORDER

This matter having come before the Court on the joint application of Christopher J. Christie, United States Attorney for the District of New Jersey (by Mark E. Coyne, Assistant U.S. Attorney), and defendant Maxwell Owoye (by Florian Miedel, Esq.) for an order granting a continuance of the proceedings in the above-captioned matter, and the defendant being aware that he has the right to have the matter brought to trial within 70 days of the date of his appearance before a judicial officer of this court pursuant to 18 U.S.C. § 3161(c)(1), and as the defendant has consented to such a continuance, and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

1. A continuance is necessary to allow Mr. Miedel time to review the discovery material in this case and determine whether to make any pretrial motions;

2. The Government's investigation is ongoing and may result in additional charges being brought against the defendant and others in a Superseding Indictment;

3. AUSA Coyne has consulted with Mr. Miedel, and, based upon their schedules, which include other pressing criminal matters and previously-scheduled trips abroad in late August through mid-September, the earliest feasible date for trial would be in October 2007;

4. The defendant, advised by Mr. Miedel, has consented to this continuance; and

5. pursuant to 18 U.S.C. § 3161(h)(8), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial because not granting such a continuance would deny defense counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

WHEREFORE, on this 21<sup>st</sup> day of July, 2008,

IT IS ORDERED that the period from July 21, 2008 through October 20, 2008 shall be excludable in computing time under the Speedy Trial Act of 1974, pursuant to 18 U.S.C. § 3161(h)(8); and

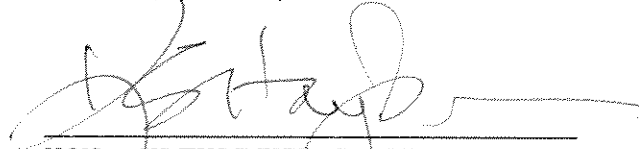
IT IS FURTHER ORDERED that the scheduling order entered on July 1, 2008 ("Order") be modified as follows:

- Suppression motions and other motions described in Order ¶ 10 shall be made within thirty (30) days from the date hereof unless good cause for delay is shown.

- All pretrial motions described in Order ¶ 11 will be deemed waived unless they are filed and served not later

than September 12, 2008, with opposition due September 26, 2008, and the motions hearing date on October 10, 2008.

- Trial is set for October 20, 2008.



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HON. KATHARINE S. HAYDEN  
United States District Judge